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March 17, 2016

Honorable Eric Coleman, Co-Chair
Honorable William Tong, Co-Chair
Joint Judiciary Committee
Legislative Office Building, Room 2500
Hartford, CT 06106

Dear Senator Coleman and Representative Tong:

I am the executive director of the Internet Coalition (IC), a national trade association that represents member companies in state public policy discussions. The IC serves as an informational resource, striving to protect and foster the Internet economy and the benefits it provides consumers.

We applaud your committee's interest in HB 5606, the Connecticut Revised Uniform Fiduciary Access to Digital Assets Act, which is scheduled for a hearing in your committee on March 18.

The IC wants to take this opportunity to express to you our support for passage of this bill as it currently strikes the right balance between protecting internet user privacy with the need for fiduciary access to digital assets.

As introduced, the bill currently gives an appropriate level of legal authority to fiduciaries to access and manage a decedent internet user's digital assets, according to that person's estate plan. HB 5606 protects a user's private communications from unwarranted disclosure. It is consistent with federal privacy laws, which protects user emails and social media conversations. This bill rightly prevents companies that store user communications from releasing such information to fiduciaries, unless the decedent had previously consented to the disclosure. It also protects a user's private communications from unwarranted disclosure.

Fiduciaries can still see the contents of private communications when the decedent expressly has allowed for it via online tool, will, trust, power of attorney or other written evidence of user consent. Otherwise, fiduciaries may access a catalogue of the decedent's communications so they may perform duties such as compiling inventory, or obtaining information such as a user's life insurance company or bank name. The fiduciary could then contact those companies directly for copies of the user's account statements.

Since this bill strikes the right balance between protecting internet user privacy with the need for fiduciary access to digital assets and does so without conflicting with federal laws, we ask that you please advance HB 5606 without amendments. Thank you for considering our views. Please let me know if you have questions or would like further information.

Sincerely,

A handwritten signature in black ink that reads "Tammy Cota".
Tammy Cota

cc: Joint Judiciary Committee members